

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 04-CR-241

NING WEN (a/k/a Wen Ning), and
HAILIN LIN (a/k/a Lin Hailin),

Defendants.

**STIPULATION AND SETTLEMENT AGREEMENT FOR REAL PROPERTY, 402
WILD OAK DRIVE, MANITOWOC, WISCONSIN**

The United States of America, by its attorneys Steven M. Biskupic, United States Attorney for the Eastern District of Wisconsin, and Erica N. O'Neil, Assistant United States Attorney for said District and the lienholder, Associated Bank, N.A., by and through its Assistant Vice President, Dennis P. Schenk, hereby stipulate and agree as follows:

1. On or about March 22, 2005, a federal grand jury sitting in the Eastern District of Wisconsin returned a Superseding Indictment charging Ning Wen and Hailin Lin, and others with certain violations of Title 18, United States Code, Sections 2, 371, 1956(a)(2)(A), and 1956(h), Title 50, United States Code, Section 1705(b), and Title 15, Code of Federal Regulations, Section 764.2(a).

2. On or about August 9, 2005, a federal grand jury sitting in the Eastern District of Wisconsin returned a Third Superseding Indictment charging Ning Wen with certain violations of Title 18, United States Code, Sections 2, 371, 1956(a)(2)(A), and 1956(h), Title 50, United States Code, Section 1705(b), and Title 15, Code of Federal Regulations, Section 764.2(a).

3. The Superseding Indictment and Third Superseding Indictment contained forfeiture provisions which seek the forfeiture of, among other things, real property located at 402 Wild Oak Drive, Manitowoc, Wisconsin, under Title 18, United States Code, Section 982(a)(1), being property traceable to property used in said violations.

4. At the time of the Superseding Indictment, the owners of record of the real property were Ning Wen and Hailin Lin.

5. On December 14, 2005, the United States District Court for the Eastern District of Wisconsin forfeited Ning Wen's and Hailin Lin's interest in the real property to the United States.

6. Notice of publication was placed in the Green Bay Press Gazette which ran on January 26, 2006.

7. On or about February 8, 2006, Associated Bank filed a petition with the United States. Associated Bank holds a security interest in the real property under mortgage loan number 0003985598. No other petitions were received and the time for filing petitions has expired.

8. Associated Bank, N.A., by and through its Assistant Vice President, Dennis P. Schenk, hereby consents and agrees to the entry of a final order and judgment of forfeiture on the above-listed real property in favor of the United States, on the conditions set forth below:

The Court, upon entering a final order and judgment of forfeiture, shall require the Department of Homeland Security to dispose of the property pursuant to 18 U.S.C. § 982 and 21 U.S.C. §853;

The Department of Homeland Security shall sell the property in a commercially reasonable manner. From the proceeds of the sale, the expenses will be paid according to the following schedule;

First, to the extent authorized by law, the United States of America will pay, or cause to be paid, to Associated Bank, N.A., by and through its Assistant Vice President, Dennis P. Schenk, the sum of \$281,262.94 plus \$6,720.14 in interest as of March 31, 2006, with

\$44.31 per diem thereafter to the date of sale; \$306.35 in unpaid late fees, and \$28.00 in recording fees. The United States will also receive a credit for \$875.36 from the suspense balance.

Second, the expenses of the Department of Homeland Security will be paid; and

Third, the remainder of the sale proceeds shall be forfeited to the United States and disposed of according to law.

9. Associated Bank agrees to release the United States of America, the United States Department of Justice, the Department of Treasury, the Department of Homeland Security, and the Internal Revenue Service, all agents, officers, and employees thereof, for any and all claims arising from this action, and from any and all claims pertaining to the property.

10. Each party will bear its own costs and attorney's fees.

11. This stipulation contains the entire agreement between the lienholder, Associated Bank, N.A., and the United States of America.

12. The United States District Court for the Eastern District of Wisconsin shall retain jurisdiction in this cause for the purpose of enforcing the terms of this stipulation and settlement agreement.

4/24/06
Date

/s ERICA N. O'NEIL
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4/11/06
Date

/s DENNIS P. SCHENK
DENNIS P. SCHENK, Assistant Vice President
For Associated Bank, N.A.